

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|---------------------------------------|---|--------------|
| HOWARD BLOOM, D.C. and                | : | CIVIL ACTION |
| WEATHER VANE CHIROPRACTIC, P.C.,      | : |              |
| Plaintiffs,                           | : |              |
|                                       | : | No. 14-2582  |
| v.                                    | : |              |
|                                       | : |              |
| INDEPENDENCE BLUE CROSS <i>et al.</i> | : |              |
| Defendants.                           | : |              |

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**ORDER**

This 24<sup>th</sup> day of October, 2018, for the reasons stated in the accompanying Memorandum, Defendants' Motion for Summary Judgment is **GRANTED** with prejudice as to Plaintiff's ERISA claims, and without prejudice as to Plaintiff's state law claims, to allow for timely re-filing of those claims in state court.

/s/ Gerald Austin McHugh  
United States District Judge